

07/2017 JW



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**STATE OF DELAWARE
BOARD OF ARCHITECTS**

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, July 19, 2017 at 1:30 p.m.
PLACE:	Division of Professional Regulation 861 Silver Lake Blvd., Conference Room B Cannon Bldg., Dover, Delaware 19904
MINUTES FOR APPROVAL:	September 6, 2017

MEMBERS PRESENT

Paul Guggenberger, Professional Member, President
Daniel Ridgely, Professional Member, Secretary
Robert Maffia, Professional Member
Bryan Hutchison, Professional Member
Todd Breck, Professional Member
Rosemarie Vanderhoogt, Public Member
Richard Senato, Public Member

MEMBERS ABSENT

Phillip Winder, Public Member
Teresa Wilson, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Singh, Deputy Attorney General
Jennifer Witte, Administrative Specialist II

OTHERS PRESENT

Nancy Payne
William Pelham
Howard Maresch, Jr.
Brian Cannavo

CALL TO ORDER

Mr. Guggenberger called the meeting to order at 1:31 p.m.

REVIEW OF MINUTES

A motion was made by Mr. Maffia, seconded by Mr. Breck, to approve the minutes from the June 7, 2017 meeting as presented. The motion was unanimously carried.

UNFINISHED BUSINESS

Motion for Reconsideration of Order – David Schultz

The Board received a motion for reconsideration of the recommendation of the Chief Hearing Officer for David Schultz that was first presented to the Board at the April 5, 2017 meeting.

After re-review of the recommendation, a motion was made by Mr. Maffia, seconded by Mr. Hutchison, to not reconsider any changes to the final order signed by the Board on May 3, 2017. The motion was unanimously carried.

Final Denial of Application – Jessica Senker

At the May 3, 2017 meeting, the Board proposed to deny the reciprocity application of Jessica Senker for failure to meet the statutory qualifications for licensure.

To date, there has been no request for a hearing before the Board or any additional correspondence received.

A motion was made by Mr. Guggenberger, seconded by Mr. Hutchison, to deny the application of Jessica Senker. The motion was unanimously carried.

Sign Final Orders

The Board signed the final orders from Hearing Officer Recommendations reviewed at the June 7, 2017 meeting for Christopher Kidd, David Franke, Christopher Elnicki, Jeremy Berg, Ben Carr, Joseph Saphire, Judith Repp, Maureen Minker, Laurence Jones, David Crawford and Barry Barnett.

Re-Review of Reciprocity Applications

After re-review, a motion was made by Ms. Vanderhoogt, seconded by Mr. Ridgely, to approve the reciprocity application of William Flynn. The motion was unanimously carried.

NEW BUSINESS

Due to the attendance of both licensees and legal counsel, Mr. Guggenberger modified the agenda to first review the Hearing Officer Recommendations for those present.

Review and Consider Recommendations of the Chief Hearing Officer

William Pelham, #S5-0007035

Mr. Pelham was present for the review of his recommendation. He addressed the Board stating that he was guilty of being deficient the required continuing education hours and did not have a problem with the recommended letter of reprimand, hours accrued in 2016 being applied as make up for the deficiency or being audited for the next renewal period, however the monetary

fine and timeframe to comply would be a financial burden. Mr. Pelham asked the Board for leniency on the fine.

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an extension of 12 months to pay the monetary fine and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.
Howard Maresch, Jr., #S5-0006484

Mr. Maresch, Jr. was present for the review of his recommendation. He addressed the Board stating that in no way did he intend to be deficient in the continuing education requirement. He is now aware of the HSW and provider requirement for all courses that he completes. He added that he recently renewed his NJ license and had to advise of this pending matter with DE and is concerned with the monetary burdens that he faces as a result from penalty in DE.

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was carried by Mr. Ridgely, Mr. Maffia, Ms. Vanderhoogt and Mr. Senato. Mr. Breck was opposed.

Emmanuel Midingi, #S5-0007736

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an increase of 60 days to make up the deficient continuing education and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Kyle Meiser, #S5-0007587

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Thomas Genis, #S5-0004093

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Senator, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, completion of 8 HSW hours to count as make up completed within 60 days of the final order which may not be used for the 2016 – 2018 renewal period and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

John Marshall, #S5-0006974

After review, a motion was made by Mr. Breck, seconded by Mr. Senato, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an increase of the monetary fine to \$1500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Brady Harding, #S5-0006262

After review, a motion was made by Mr. Breck, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, a monetary fine to \$1000 to be paid within 90 days of the order being signed and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Philip Belanger, #S5-0007844

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Mark Schillaci, #S5-0005644

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Robert King, #S5-0007759

After review, a motion was made by Mr. Maffia, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Charles Phillips, #S5-0006371

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an increase the monetary fine to \$1500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

W.S.Harischandra Wijayasiri, #S5-0007714

After review, a motion was made by Mr. Breck, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an increase the monetary fine to \$1500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Daniel Moore, #S5-0005588

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

John Mangan, #S5-0007737

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an

immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Lee Smith, #S5-0005051

After review, a motion was made by Mr. Maffia, seconded by Mr. Guggenberger, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, no immediate suspension, an increase of the monetary fine to \$5000, completion of 19 HSW hours to count as make up completed within 60 days of the final order which may not be used for the 2016 – 2018 renewal period and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Finith Jernigan II, #S5-0005163

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Leila Hamroun, #S5-0007630

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was carried by Mr. Guggenberger, Mr. Ridgely, Ms. Vanderhoogt and Mr. Senato. Mr. Maffia recused himself.

Peter Archer, #S5-0006468

After review, a motion was made by Mr. Guggenberger, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Ratification of Certificate of Authorization Applications

A motion was made by Mr. Breck, seconded by Mr. Ridgely, to approve the ratified Certificate of Authorization application of K & A Architecture, Inc. The motion was unanimously carried.

Ratify Reciprocity Applications – NCARB Certificate

A motion was made by Mr. Breck, seconded by Ms. Vanderhoogt, to approve the ratified reciprocity applications of Daryl Bachmeier, Darren Peterson, Jacob Laureska, Bradley Williams, Patrick Traver, Thea Watters, Richard Ashworth, William Mandara and Daniel Swift. The motion was unanimously carried.

Review of Examination Applications

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to approve Chidiebere Ugbam to sit for the examination. The motion was unanimously carried.

Review of Reciprocity Applications – NCARB Certificate

After review, a motion was made by Mr. Breck, seconded by Mr. Hutchison, to approve the reciprocity application of Scott Laskey. The motion was unanimously carried.

Update from NCARB's 2017 Annual Meeting - Bob Maffia

Mr. Maffia reported that both he and Mr. Breck attended the NCARB's 2017 Annual Meeting in Boston, MA last month. There were no resolutions to discuss. Currently, NCARB is in the researching stages of becoming a clearing house for the 3 E's (education, experience and exam) as well as taking over being the clearing house for continuing education versus the AIA.

Mr. Maffia added that every year NCARB puts out a publication titled "NCARB by the Numbers" which has numerous statistics and information regarding licensure. Examples included the percentage of Delaware licensees that are Delaware residents and ARE examination success rates.

There was a brief discussion on the anonymous complaint process.

CORRESPONDENCE

There was no correspondence.

OTHER BUSINESS BEFORE THE BOARD

The board had a brief discussion on correspondence from Mr. Breck that was received several months back regarding the reciprocity requirements for licensure and the future concern of applicants that could be denied licensure in Delaware due the substantially similar requirement. Ms. Singh advised that if a similar core requirement could be established then there would be potential for a legislative change.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting will be September 6, 2017 at 1:30 p.m. in Conference Room B.

ADJOURNMENT

There being no further business, a motion was made by Mr. Senato, seconded by Ms. Venderhoogt, to adjourn the meeting at 3:42 p.m. The motion unanimously carried.

Respectfully submitted,

Jennifer L. Witte

Administrative Specialist II